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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 09/756,370 | 01/08/2001 | Rajiv Laroia | 27-19-12 | 6696 |
| 7590 | 07/12/2004 | | EXAMINER | NGUYEN, DAVID Q |
| THOMAS STAFFORD PATENT ATTORNEY 4173 Rotherham Court Palm Harobor, FL 34685 | | | ART UNIT | PAPER NUMBER |
| | | | 2681 | |
| | | | DATE MAILED: 07/12/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/756,370 | RAJIV LAROIA ET AL. |
| | Examiner | Art Unit |
| | David Q Nguyen | 2681 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 28 May 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) 2-8 and 17-23 is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1,9-16 and 24-34 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,16, and 32 rejected under 35 U.S.C. 102(b) as being anticipated by Godoroja (US 5485463).

Regarding claim 1, 16, and 32, Godoroja discloses a method and an apparatus for use in a wireless communications system including at least one base station and one or more wireless terminals for identifying whether a particular wireless terminal is reachable within a base station cell coverage area, the method and apparatus being performed in a base station and comprising the steps of: means for transmitting a timing control order in a timing control time slot assigned to said particular wireless terminal (see col. 4, lines 13-33); and means for monitoring received timing control signal time slots to determine whether a timing control signal has been received from said particular wireless terminal, reception of said timing control signal indicating that said particular wireless terminal is reachable in said base station cell coverage area (see col. 4, line 43-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9,11,24,26 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyashita (US 6453172) in view of LeBlanc et al (US 5960341).

Regarding claims 9,24 and 33, Miyashita discloses a method and an apparatus for use in a wireless communications system including at least one base station and one or more wireless terminals for identifying whether a particular wireless terminal is reachable within a base station cell coverage area, the method being performed in a wireless terminal and comprising the steps of: entering a monitoring mode to monitor a received channel assigned to said particular wireless terminal for a timing control order (see col. 5, lines 35-36, lines 42-51; col. 6, lines 15-32) ; and in response to detecting a received timing control order for said particular wireless terminal, transmitting a timing control signal in a prescribed timing control (see col. 5, lines 35-36, lines 42-51; col. 6, lines 15-32). Miyashita does not mention the received channel is a received paging time slot. Official notice is taken that the received channel being a received paging time slot is well known in the art (see LeBlanc et al US 5960341; see col. 1, line 59 to col. 2, line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching in order to recognize, identify and control which particular wireless terminal is reachable within a base station and registers the position to the network.

Regarding claim 11 and 26, the method of Miyashita in view of LeBlanc et al also discloses if a terminate order is detected in said monitoring mode, entering a standby mode and entering said monitoring mode at a prescribed time (see col. 6, lines 15-21 of Miyashita).

3. Claims 10,12-15,25, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyashita (US 6453172) in view of LeBlanc et al (US 5960341) and further in view of Wan (US 6680920).

Regarding claims 10 and 25, the method of Miyashita in view of LeBlanc et al does not mention if no timing control order is detected, entering a standby mode and entering said monitoring mode at a prescribed time. However, Wan disclose if no timing control order is detected, entering a standby mode and entering said monitoring mode at a prescribed time (see col. 15, lines 45-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Wan to the method of Miyashita in view of LeBlanc et al in order to avoid consuming large amounts of battery power.

Regarding claims 12-15 and 27-30, the method of Miyashita in view of LeBlanc et al and further in view of Wan discloses wherein said timing control time slot is a paging time slot (see abstract and col. 15, lines 45-58 of Wan); wherein said timing control order includes the identity of said particular wireless terminal being queried (see abstract and col. 15, lines 45-58 of Wan); wherein said timing control order further includes a prescribed time at which and a prescribed timing control signal that said wireless terminal is to transmit (see col. 6, lines 15-21 of Miyashita); wherein said particular wireless terminal and said base station know a priori a

prescribed timing control signal and a prescribed time that said prescribed timing control signal is to be transmitted by said particular wireless terminal (see col. 6, lines 15-32 of Miyashita).

4. Claims 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godoroja (US 5485463) in view of Miyashita (US 6453172) and further in view of LeBlanc et al (US 5960341).

Regarding claims 31 and 34, Godoroja disclose a method for use in a wireless communications system including at least one base station and one or more wireless terminals for identifying whether a particular wireless terminal is reachable within a base station cell coverage area, the method comprising the steps of: in a base station transmitting a timing control order in a timing control time slot assigned to said particular wireless terminal, and monitoring received timing control signal time slots to determine whether a timing control signal has been received from said particular wireless terminal, reception of said timing control signal indicating that said particular wireless terminal is reachable in said base station cell coverage area (see explanation in claim 1).

Godoroja does not disclose in a wireless terminal entering a monitoring mode to monitor a received paging time slot assigned to said particular wireless terminal for a timing control order, and in response to detecting a received timing control order for said particular wireless terminal, transmitting a timing control signal in a prescribed timing control time slot.

However, Miyashita and LeBlanc et al discloses in a wireless terminal entering a monitoring mode to monitor a received paging time slot assigned to said particular wireless terminal for a timing control order, and in response to detecting a received timing control order

for said particular wireless terminal, transmitting a timing control signal in a prescribed timing control time slot (see explanation in claim 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching Miyashita and LeBlanc et al to Godoroja in order to recognize, identify and control which particular wireless terminal is reachable within a base station and registers the position to the network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN
David Nguyen


TEMICA M. DAVIS
PATENT EXAMINER